

Coastal Zone Management Act



Coastal Zone Management Act

- Goal: Reduce uncontrolled coastal development on islands, beaches, transitional and intertidal areas
- CZMA applies to all Federal actions within or affecting the coastal zone
- If activity would affect coastal zone then FEMA must:
 - Review state management plan
 - Notify state of determination
 - Decisions on federal grants is not a Federal activity

CZMA Consistency Determination

- Washington's coastal zone is comprised of the **15 counties** that border on saltwater shorelines
- Counties outside the coastal zone are presumed to NOT impact coastal resources.
- Federal grant recipients must request WA DOE review for project consistency
- WA DOE has issued a Determination Letter for certain Public Assistance projects
- If projects does not meet exemption, then a CZM certificate must be completed and filed with WA DOE

National Historic Preservation Act



National Historic Preservation Act

- The National Historic Preservation Act (NHPA) was passed in 1966.
- What is it?
 - The primary law governing historic preservation programs nationally
- Why is it important to FEMA?
 - It outlines historic preservation responsibilities for Federal agencies

Historic Properties are ...

- Buildings, sites, structures, objects, districts
- At least 50 years old (with exceptions)
- Are significant within its historic content
- Retain integrity or convey its significance

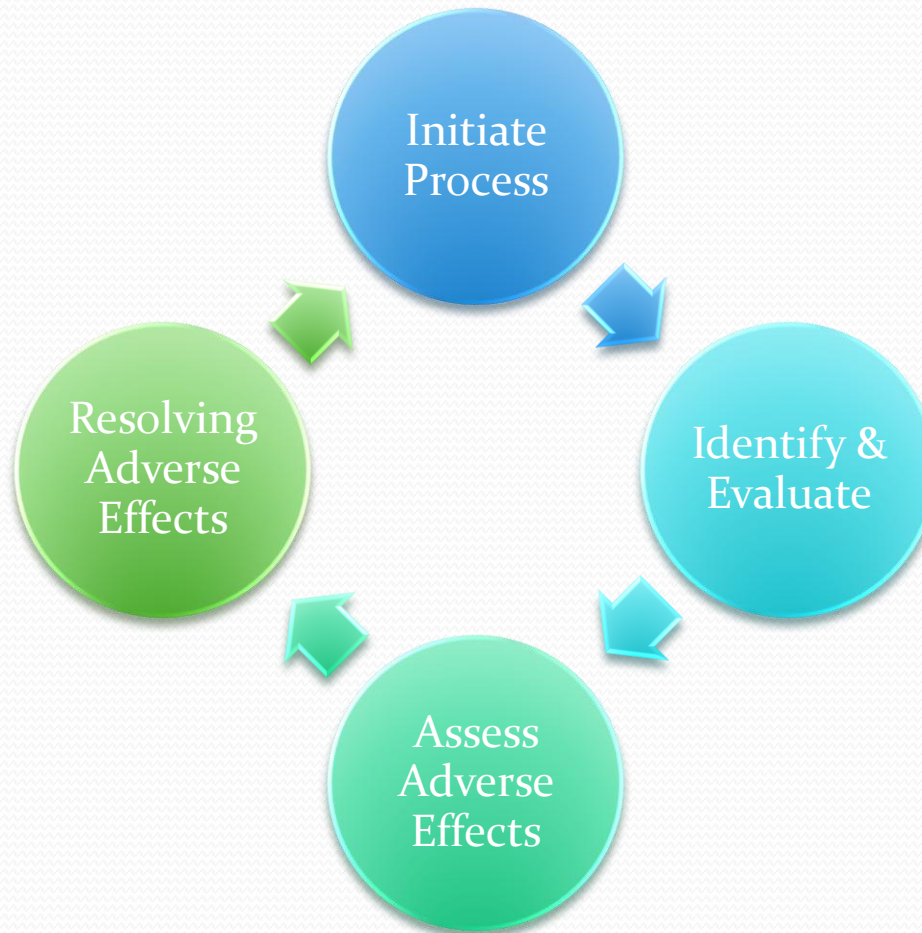
Levels of Historic Recognition

- National Historic Landmarks
- National Register of Historic Places
- Tribe/State Registers of Historic Properties
- Tribe/State Inventories of Cultural Resources
- Local Designated Cultural Resources

Section 106

- The Historic Review process federal agencies must conduct on all federal undertakings
- Undertakings applicable to Public Assistance
- Emergency undertakings
- Requires federal agencies to enter a 4-step process **not** to preserve properties

FEMA's 4-Step Review Process





Historic Preservation Programmatic Agreement

- With WA State Department of Archeology and Historic Preservation
- Integrates Section 106 into Public Assistance Program
- Allows for programmatic reviews
- Expedites review process
- Establishes coordination/scoping
- Excludes routine activities
- Shortens time frames
- Addresses tribe/state needs

Expedite Historic Preservation Review

- Describe the property, including type of construction, type of building materials used in construction, size (square footage and no. of floors)
- Age
- Exact location and address
- Current and past use
- Clear hard copy or digital photographs of all sides of the structure (minimum of 5 views)

Archeological Concerns

- Any project involving previously **undisturbed** ground must be reviewed by FEMA and SHPO prior to activity occurring
- Provide the following documentation:
 - USGS topographic quad sheet with boundary of project area clearly indicated
 - Brief description of all proposed work, including depth, to determine subsurface impacts
- Potential projects impacted:
 - Road realignment
 - Utility relocation
 - Material borrow pit construction

Cease and Desist

Cease work immediately and call the SHPO if any buried cultural materials such as wells, cisterns, foundations, basements, prehistoric Native American artifacts or human burials are encountered.

After notifying the SHPO, notify your assigned PAC and FEMA.

Resource Conservation and Recovery Act

- Promotes the recycling of waste material
- Provide assistance to Tribal, State, and local governments
- Require proper handling and disposal of hazardous waste
- Conserve valuable materials and energy resources

Application and Compliance

- When does RCRA apply?
 - Debris removal activities
 - Funded debris removal under Sections 403 and 407 excluded from NEPA; still subject to RCRA and CAA
- Compliance?
 - Staging areas must be reviewed
 - Permitted sites must be used for disposal
 - All debris should be recycled, when possible
- Documentation

Clean Air Act



Clean Air Act (CAA)

- Goals:
 - Protect and enhance Nation's air quality
 - Provide technical and financial assistance
 - Assist in regional air pollution prevention and control programs
 - Make states responsible for air programs

When Does the CAA Apply?

- Burning of debris
- Demolition of properties containing potentially harmful materials
- Replacement of facilities with combustion systems
- Equip exhaust and fugitive dust from construction
- Projects where roads or bridges may increase capacity/traffic

Complying with CAA

- Use low emission practices
- Identify local air receptors
- Meet tribal, local, state requirements

Asbestos

- Sources of materials containing asbestos
 - Thermal, fireproofing and acoustical insulation materials
 - Transite™
 - Resilient floor tiles
 - Roofing felt
- Regulatory authority delegated to local air pollution control authorities or agencies

Asbestos Requirements

- For all facilities suspected of having asbestos containing materials:
 - Asbestos survey required by currently certified AHERA inspector
 - Public notification required
 - Asbestos notices must be posted
 - Notice submitted to appropriate clean air authority or agency
 - Asbestos removal and containment handled properly
 - Disposal at certified disposal sites

Mold

- Cleaning and disposing of mold is not regulated
- Guidelines and recommendations for mold available at clean air authorities and agencies
- Washington State Clean Air Agencies
 - Listing of agencies with contact information found in greenbook

Resource Conservation and Recovery Act (RCRA)



Goals

- Promote the recycling of waste materials
- Require proper handling and disposal of hazardous waste
- Conserve valuable materials and energy resources

Application to Public Assistance

- Funded debris removal under Sections 403 and 407 are excluded from NEPA
- Still subject to RCRA and CAA

Hazardous Materials

- Emergency events can produce hazardous waste materials and situations
- Use proper care in handling and disposing of suspected hazardous or toxic waste
- Document handling, management and disposal
- All hazardous material and oil spills must be reported

Summary

- Greenbook is an environmental reference document
 - Websites
 - Contacts
- Contact environmental agencies re: permit requirements during emergency actions
 - Document contacts
 - Who, When, Issues, Permit Requirements, Follow-up Required?
- Provide documentation, by project, to State PAC at Kick-off meetings